

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

\_\_\_\_\_  
Type or print name of person signing certification

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Applicant: SUMNER, Calvin Russell Confirmation No.: 9689  
Serial No.: 10/568,244 ATTN: Branch Manager  
International Application Date: August 25, 2004  
For: Treatment Of Learning Disabilities And Motor Skills Disorder With  
Norepinephrine Reuptake Inhibitors  
Docket No.: X16417

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS**  
**FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE**  
**AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attention: Mail Stop Sequence

Sir:

This is in response to the "Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures" dated September 20, 2006, received in connection with the above-identified application, noting the absence of a Sequence Listing.

In response to the above-noted Notification, Applicants have reviewed the specification and failed to find any amino acid or nucleotide sequences for which a Sequence Listing is required.

In order to comply with U.S. P.T.O. regulations, Applicants respectfully request that the Examiner responsible for this application particularly point out where in the present application there are present amino acid or nucleotide sequences, if any, that require submission of a Sequence Listing.

Serial No.: 10/568,244

If the Examiner has any questions, or would like to discuss this matter, s/he is invited to contact the undersigned at (317) 433-4983.

Respectfully submitted,

/Charles E. Cohen/  
Charles E. Cohen, Ph.D.  
Attorney for Applicants  
Registration No. 34,565  
Phone: 317-433-4983

Eli Lilly and Company  
Patent Division  
P.O. Box 6288  
Indianapolis, Indiana 46206-6288

October 20, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO 10/568,244 ✓	FIRST NAMED APPLICANT Calvin Russell Sumner ✓	ATTY. DOCKET NO. X-16417
--	--	-----------------------------

INTERNATIONAL APPLICATION NO. PCT/US04/25592	
I.A. FILING DATE 08/25/2004 ✓	PRIORITY DATE ✓08/27/2003

25885  
ELI LILLY & COMPANY  
PATENT DIVISION  
P.O. BOX 6288  
INDIANAPOLIS, IN 46206-6288

CEC

RECEIVED

SEP 25 2006

ELI LILLY AND COMPANY  
Patent Division

CONFIRMATION NO. 9689

371 FORMALITIES LETTER



\*OC000000020500113\*

Response Due 20 Nov 2006

Date Mailed: 09/20/2006

## NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
10/568,244	PCT/US04/25592	X-16417

FORM PCT/DO/EO/922 (371 Formalities Notice)